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PART III

Notifications by High Court, Advertisement, Notices and Change of Name etc.

HARYANA ELECTRICITY REGULATORY COMMISSION

BAYS NO. 33-36, SECTOR-4, PANCHKULA-134113, HARYANA

Single Point Supply to Employers' Colonies Group Housing Societies, Residential Colonies, Office cum Residential Complexes and Commercial Complexes of Developers, and Industrial Estates/IT Park/SEZ Regulations, 2020.

Notification

The 22nd April, 2020

Statement of Objects and Reasons

The Haryana Electricity Regulatory Commission in exercise of powers conferred on it by Section 61(d) and Section 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf had framed the Regulations, Haryana Electricity Regulatory Commission (Single Point Supply to Employer's Colonies, Group Housing Societies and Residential or Commercial cum Residential Complexes of Developers) Regulations, 2013 (hereinafter referred to as the Principal Regulations or Single Point Supply Regulations, 2013) notified on 9th January, 2013 for laying down the provisions/procedures for supply of electricity at a Single Point to the Residential Colonies of Employers, the GHSs and Residential or Residential cum Commercial Complexes of Developers which are bounded with walls and have restricted entry, for further supply of electricity to the members/employees and other services/establishments inside their premises by the GHS/Employer/Developer.

The Commission later observed that the objectives of Single Point Supply Regulations, 2013 are largely achieved if the electricity consumers in such Employer's Colonies, Group Housing Societies and Residential or Commercial cum Residential Complexes of Developers switch over to electricity supply through pre – paid meters by the distribution licensee. Thus, the 1st amendment to the Single Point Supply Regulations, 2013 was considered and Employers' Colonies, Group Housing Societies and Residential or Commercial cum Residential Complexes of Developers who opt for electricity supply through pre – paid meters were excluded from the purview of the Single Point Supply Regulation and notified vide Regulation No. HERC/ 27 /2014 on 14th October, 2014.

Pursuant to the notification of the Principal/Single Point Supply Regulation and its first amendment and implementation thereof, few petitions were filed by the GHS/RWAs involving developers and Distribution licensees where in it has been noticed that there are few issues faced by the residents in such colonies regarding metering, billing and inadequacy in the supply position as well as in- adequate electrical infrastructure installed by the Developers.

In Order to get the feedback from the consumers the Commission held interactive session with RWAs of Group Housing Societies, Residents and Developers at Gurugram and Faridabad. The Commission on hearing the difficulties expressed by the participants in the meetings, asked them to make submissions in this respect in writing as

well.

From the averments made by the participants during the interaction held and the written submissions made by them, the Commission framed the following issues for consideration.

- (i) The developers have not constructed adequate electrical infrastructure as per approved plan in some of the residential complexes with the result, the residents are not getting uninterrupted and quality power supply.
- (ii) The RWA/Developers /Facility Managers in case of certain Single Point Supply Connections are not charging the residents as per the regulations, instead wrong tariff is being charged i.e. highest slab tariff to bulk supply domestic category etc., other consumers like NDS consumers, shopping complex, offices etc. are being charged as per their own rates and terms and conditions.
- (iii) Few RWAs /Developers are charging Administration Charges @ 12% on energy consumption charges which is contrary to the provisions of the Regulations.
- (iv) The Common Area Maintenance (CAM) charges have also been linked with electricity charges and in case of non-payment of CAM charges, the electric supply of the Residents is disconnected and TDCO/RCO fee is levied as per their own rates.
- (v) There is no separate metering for recording the consumption of NDS, Common facilities services and the loads other than the residents in some Societies/Residential cum Commercial Complexes.
- (vi) The GHS/Developers/RWAs have not installed the meters as per standard specifications of the Distribution Licensee at the premises of individual consumers and other loads like NDS and Common Services etc.
- (vii) The RWA/developers do not ensure that the meters getting defective or dead stop are replaced immediately resultantly such residents and the NDS Load are billed on average basis.
- (viii) The Residents raised the issue of meter accuracy and testing/ sealing and submitted that the meter installed by the developers are running fast and need to be tested/ recalibrated.
- (ix) The Developer/RWAs requested to make provision in the Regulation for recovery of electricity charges along with DG supply and Common Area Services Maintenance Charges (CAM) through prepaid meters.

Commission observed as under: -

- (i) That in order to ensure continuity and reliability of supply in such Societies/Commercial Complexes/Shopping Malls/Industrial Estates, SEZ, the Electrical infrastructure has to be necessarily in place as per approved electrification plan, prior to the release of electricity connections.
- (ii) In case of supply on Single Point, the tariff charged by the society/employer should not be higher than the rates determined by the Commission and the developer/RWA, are estopped from recovering the tariff in variance with the tariff determined by the Commission.
- (iii) The Commission in its various order(s) has made it clear that common area maintenance charges (CAM)/backup supply charges should not be clubbed with the licensee's supply charges and the connection ought not be disconnected in case the consumer has paid the charges for grid supply.
- (iv) Further, the Commission is of the view that for proper accounting of energy, no consumption points in the Colony/complex be allowed unmetered. The meter deployed be of standard specifications, accuracy and healthiness of the metering is to be ensured. The defective or dead stop meter should be replaced expeditiously to avoid billing on average bases and adjustments in bills later.
- (v) Commission further observed that recovery of electricity bills, DG supply charges as well as electricity charge for the common area supply may be recovered by the supplier through prepaid meter arrangement, provided, these are separately indicated in the bill.

Further, Dakshin Haryana Bijli Vitran Nigam Limited also filed a petition HERC/PRO-66 of 2017 seeking amendment in the existing Single Point Supply Regulation.

The Commission prepared the draft Regulations, Haryana Electricity Regulatory Commission "Single Point Supply to Employers Colonies, Group Housing Societies, Residential colonies, Commercial complexes/Shopping Mall, Industrial Estate/IT parks/SEZ of Developers" Regulations, 2019 and invited comments, objections from the various Stake holders/ after putting it in public domain, through web site and Newspaper by 28.11.2019. The public hearing was held on 06/02/2020 and after consultative process, the following regulations are framed.

Regulation No. HERC/49/2020:-

The Haryana Electricity Regulatory Commission in exercise of powers conferred on it by Section 61(d) and

Section 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf hereby makes the following Regulations laying down the provisions/procedures for supply of electricity at a Single Point to the Employers Colonies, Group Housing Societies and Residential or Residential cum Commercial/ Commercial Complexes of Developers and Industrial Estates/IT parks/ SEZ which are bounded with walls/fence or having restricted entry, for further supply of electricity to the members/employees and other services/establishments inside their premises by the GHS/Employer/Developer/Industrial Estate/ IT parks /SEZ.

1. Short title, commencement, and interpretation

- (1) These Regulations may be called the Haryana Electricity Regulatory Commission (Single Point Supply to Employers' Colonies, Group Housing Societies and Residential or Residential cum Commercial/ Commercial Complexes of Developers and Industrial Estates/ IT parks/SEZ) Regulations, 2020.
- (2) These Regulations shall come into force w.e.f. the date of their publication in the Haryana Government Gazette.
- (3) These Regulations shall extend to whole of the State of Haryana.

2. Definitions

In these Regulations, unless the context otherwise requires: -

- (1) **“Act”** means The Electricity Act, 2003 (Act 36 of 2003) as amended from time to time;
- (2) **“Commission”** means the Haryana State Electricity Regulatory Commission;
- (3) **“Colony”** means an area of land divided or proposed to be divided into plots or flats for residential, commercial, industrial, cyber city or cyber park purposes or for construction of flats in the form of group housing or for the construction of integrated commercial complexes or for division into plots for low-density eco-friendly colony.
- (4) **“Common Facilities”** means the common recreational facilities/services such as common room, society office, street lighting, sewerage treatment plant, ventilation system, common/parking areas, excluding club, school, convenience stores/shops etc. for the residents of a Housing Society/Colony/Complexes.
- (5) **“Developer”** means a person or a company, duly registered with appropriate authority, engaged in the business of developing residential/residential cum commercial complexes/Malls/IT Parks/Industrial Estates/SEZ under the license obtained from the Town & Country Planning Department Govt. of Haryana or any other appropriate authority.
- (6) **“Employer”** means a person including any company or body corporate or association or body of individuals, in-corporated or not, or artificial juridical person.
- (7) **“Franchisee”** means a person authorized by a distribution licensee to distribute electricity on its behalf in a particular area within his area of supply.
- (8) **“Group Housing Society” i.e. GHS** means a residential complex owned/managed by a Co-operative Group Housing Society registered with the Registrar Co-operative Societies, Haryana including residential or residential-cum-Commercial Complex developed by a developer duly approved by an appropriate authority/ Registrar of Firms & Societies.
- (9) **“Infrastructure”** means the entire electrical distribution network within the premises of the Group Housing Society/Employers' Colony;
- (10) **“Prepaid Meter”** means a meter defined in the CEA Regulations for regulating the installation and operation of meters which facilitate use of electricity only after advance payment. The meters shall also include associated in-home display / keypad unit.
- (11) **“RWA”** means the Residents Welfare Association or any other similar body for the management of various activities including common facilities/services within the complex.
- (12) **“Users Association”** means the Association of the individual residents/owners/leasee of the space in the shopping Malls, Commercial complex or the Industrial Estate/SEZs beneficiaries of the Single Point Supply or the body of person for the management of various activities including common facilities/services within the Complex/Shopping Malls / Industrial Estates/ SEZs, duly registered with registrar of firms and societies.

Words or expressions used and not defined herein but defined in the Act or Haryana Electricity Reforms Act, 1997, Schedule of Tariff, the State Grid Code or any other Regulations issued by the Commission, shall, unless the context otherwise requires, have the meaning as assigned to them under the Act or Haryana Electricity Reforms Act, 1997 or Schedule of Tariff or the State Grid Code or such other Regulations issued by the Commission as the case may be.

3. Supply of electricity at Single Point by the Distribution Licensee to Employers' Colonies

- 3.1** The Employers seeking new electricity connections for their Colonies which are bounded with walls/fence having 20 (twenty) or more residential units and irrespective of connected load shall be given Single Point Supply by the Distribution Licensee at 11 kV or higher voltage, depending upon the feasibility under bulk supply domestic schedule of tariff for making electricity available to his employees residing in the Colony and for common services/ non-domestic loads on such terms and conditions specified by the Commission. Distribution of electricity within the Colony shall be owned and managed by the Employer.
- 3.2** For the existing Employer's colonies, having 20 (twenty) or more number of residential units and irrespective of connected load, which are bounded by wall/fence having restricted entry and which presently do not have Single Point Supply but have individual electricity connections released by the Distribution Licensee to the employees residing in the colony, the distribution licensee shall convert, at its cost, the supply to such colonies to Single Point Supply at 11 kV or higher voltage, depending upon the feasibility, within 3 (three) months from the date of notification of these regulations and thereafter supply to such colonies shall be governed by these Regulations.

4. Supply of electricity by the distribution licensee to the Group Housing Societies (GHSs).

- 4.1** (a) All Group Housing Societies seeking new electricity connections which are bounded with walls/fence having 20 (twenty) or more residential units and irrespective of connected load shall be given supply at a Single Point to the GHS at 11 kV or higher voltage depending upon the feasibility under Bulk Supply (Domestic) schedule of tariff for making electricity available to the members of the society residing in the same premises and other loads of common services/ NDS load etc. on such terms and conditions specified by the Commission.
- (b) The GHS may also be supplied through individual electricity connections to its residents / members and for common services / NDS loads by the licensee under relevant schedules of tariff and terms & conditions specified by the Commission.

Provided a reference meter is installed by the distribution licensee at its cost at the incoming supply point of the GHS distribution system and the GHS pays for the energy difference in consumption of the GHS as per reference meter and the electricity consumption of all the residents/members residing in the GHS including the consumption for the common services /other non-domestic loads if any as per their individual meter readings for each billing cycle over and above the losses specified by the Commission.

- 4.2** The distribution licensee, on an application from the GHS, as per clause (a) shall give Single Point Supply to the GHS at 11 kV or higher voltage, depending upon the feasibility, for making electricity available to the residents/members residing in the Colony and for common services/ non-domestic loads. Provided the distribution of electricity within the GHS shall be owned and managed by the GHS.
- 4.3** In case the GHS opts for release of individual electricity connections by the distribution licensee to its residents/members and for common services/NDS load, if any, as per clause 4.1 (b), the GHS will be obliged to furnish an undertaking to the distribution licensee, in the Form enclosed as Annexure-1, and shall give their acceptance to the conditions laid down as per Annexure -1
- (a) The Distribution Licensee shall provide and install a single reference meter at the incoming supply point at its own cost to measure consumption of electricity of the loads within the GHS.
- (b) The readings of reference meter and all individual meters within the GHS shall be taken on the same day for each billing cycle by the distribution licensee in the presence of the security guard or a representative of the GHS.
- (c) The total energy consumption of the electricity recorded at the incoming supply point of the GHS as per reference meter shall be compared with summation of the electricity consumption of all the members residing in the GHS as per their individual meter readings and the consumption for the common services /other non-domestic loads as per readings of relevant meters for each billing cycle. An energy difference of 4%, in case of supply up to 11 kV, and 5%, in case of supply at higher voltage, shall be permissible towards transformation and distribution losses. In case the difference in energy consumption as above for any billing cycle works out to be more than 4%/5% as the case may be, the GHS shall be liable to pay for the difference in energy consumption over and above 4%/5% at the rate of energy charges as applicable for the highest slab under Bulk Supply (DS) category.
- (d) The distribution licensee shall raise bill for the energy difference for each billing period on the GHS and the same shall be payable by the GHS. If payment is not made within the due date, late

payment surcharge, as applicable, shall be leviable. In case of non-payment of the bill for the energy difference for two consecutive billing cycles, supply to GHS may be disconnected from the single point energy meter (reference meter). The supply will be restored only after clearance of the dues for energy difference along with the surcharge and applicable reconnection charges.

- 4.4 After receipt of undertaking as above from the GHS, the distribution licensee shall release individual electricity connection to the residents/members and for the common services under DS category and NDS load, if any, under NDS category. A reference meter shall be installed by the distribution licensee at the incoming supply point of the GHS.
- 4.5 In case a new GHS opts for the second option under Regulation 4.1/4.2 i.e. installation of reference meter, the distribution licensee shall ensure that only a duly tested reference meter of specified accuracy and compatible with Automatic Meter Reading (AMR) System is installed at the incoming supply point. The licensee shall further ensure that in case of existing GHSs, that none of the meters of the residents/users or for the common facilities/services is defective or dead stop and that no resident or common service connection is billed on average basis at the time of commencement of billing for energy difference as per Regulation 4.1 (b)/4.3 The distribution licensee shall also ensure that all the meters getting defective or dead stop subsequently, both for new as well as existing GHSs, are replaced immediately.
- 4.6 The billing period of Domestic consumers & other categories of connections if any, within the GHS and also for billing of energy difference shall be same as for domestic consumers. However, the ACD/Security for consumption may also be recovered accordingly.
In case of energy difference for the consumption recorded at the reference meter and the summation of consumption recorded by meters of all individual consumers/residents in the colony including the meters provided for common services/NDS load etc. for any billing period works out to be more than specified limit, the distribution licensee shall conduct a thorough checking / investigation in the GHS to ascertain the reason for higher energy losses and take possible remedial measures. The GHS will extend all cooperation to the staff/officers of the distribution licensee for carrying out such checking/investigation.
- 4.7 In case existing GHS submits application for conversion to Single Point Supply, the conversion to Single Point Supply shall be effected by the distribution licensee within one month of the receipt of application from the GHS. The cost for the conversion to Single Point Supply of an existing GHS shall be borne by the distribution licensee

5.1 Supply of Electricity by distribution licensee to appropriate Government

Defence Establishments, MES, Railways, central PWD institutions/works, Jails, Police/ Para Military Establishments/ colonies, Irrigations head works, Universities / Hospitals/ medical colleges, Educational institutions under the control of State Govt./in private sector, the SEZs being considered as deemed licensee under the Act and Delhi Metro Rail Corporation are entitled to avail Single point supply under these regulations subject to the conditions as specified in these regulations and the relevant schedule of tariff categorized based on the uses of load. The distribution of supply within the complex shall be owned & managed by the establishment falling under the clause appropriate government:

Provided further, the entities covered under deemed licensee or the SEZ may also opt to source power from other than the licensee of the area and get their tariff determined from the Commission upon filing ARR petition with the Commission.

5.2 Supply of Electricity to Developer's Commercial Complex, /Shopping Malls/Industrial Estates/IT Park

The Developers / Users Association in such complex(s) seeking new electricity connection on single point supply for their commercial complex/ Shopping Malls /IT Park etc. shall be supplied electricity at Single Point by the distribution licensee of the area for supply to the individual consumers in such commercial complexes/Shopping Malls/IT Park etc., as per the terms and conditions as specified in the Regulations under the relevant schedule of tariff specified for the respective category of load i.e. bulk supply for commercial complex/shopping mall/IT park & Industrial tariff for Industrial Estate /Group of Industries etc:

Provided the Industrial Estate or a group / cluster of industry may also be provided the Single Point Supply by the distribution licensee subject to approval of the Commission.

Delhi Metro Rail Corporation shall also be provided supply at single point for its traction and other load including the load of various individual consumers of the space leased by it in its various metro stations for commercial activities at the tariff specified by the Commission. However, the such commercial loads shall be metered separately and billed to the Delhi Metro by the licensee at NDS tariff in the single point supply bill.

- 5.3** The individual consumers in the GHS/Employer's Colonies/Residential cum Commercial/Commercial Complexes/ Shopping Malls/Industrial Estates/IT Park where Single Point Supply has been provided shall be treated at par with the consumers of the distribution licensees and shall have the same rights and obligations as that of other consumers of distribution licensee. These consumers shall also be covered under all other relevant Regulations of the Commission including CGRF and Ombudsman Regulations, and tariff order issued by the Commission, provided that in case of the provision of section 126, 135 and 138 of the Act the distribution licensee shall be authorized to take necessary action as per these provisions of the Act in coordination with such Employer's Colony/GHS/ RWAs/Users Associations.

6 Terms & Conditions for Single Point Supply

6.1 Employers' Colonies, Group Housing Societies, Developers' Commercial Complexes/ Shopping Malls/Industrial Estate/IT Parks/ SEZ covered under Regulation 3.1, Regulation 4.1, Regulation 5.1 and Regulation 5.2 respectively.

- (a) For supply of electricity at Single Point to colonies falling under the purview of Regulation 3.1, a GHS as per Regulation 4.1 consumer covered under appropriate Govt/deemed licensee as per regulation 5.1 and Commercial Complex/ Industrial Estates/ IT park/SEZ covered under Regulation 5.2, the Employer/ GHS/Developer/ Users Association shall be obliged to seek connection for supply of electricity at a single point at 11 kV or higher voltage under these Regulations by submitting an application in the prescribed form with requisite charges to the Distribution Licensee giving complete details of the load of all residential units, common services and other non-domestic/ Industrial loads if any. The Distribution Licensee will supply electricity at a Single Point at 11 KV or higher voltage subject to technical feasibility.

Provided that in case of Developer/Users Association covered under Regulation 4.1 or 5.2, the distribution licensee shall ensure, before release of Single Point Supply connection, that the Developer has completed the installation of entire electrical infrastructure within its complex as per the approved electrification Plan.

Provided, if at the time of energization of the system it is noted that the concerned Developer has not executed the complete work as per the electrification plan approved by the licensee, the Developer shall be required to furnish the Bank Guarantee for the balance incompleted work as per regulation 4.12 of HERC Duty to Supply Electricity on request, Power to recover expenditure incurred in providing supply and Power to require Security Regulations, 2016 as amended from time to time. The licensee shall not release single point supply Connection or individual connections under Regulation 4.1(b) to the residents/users in such areas without taking requisite Bank Guarantee.

Provided further, that on completion of the electrical infrastructure by the Developer, the operation and maintenance of these assets shall be handed over to the RWA/Users Association and the Single Point Supply connection if any taken by the Developer shall be got transferred/changed in the name of RWA/Users Association along with all the securities deposited with the distribution licensee and other guarantee/warranty of the electrical equipments installed.

- (b) The Employer/GHS/ Developer/ Appropriate Government/Users Association will install, operate & maintain all infrastructure, including substations/transformers, required for distribution of electricity within the premises of the Employer/GHS/Developer/Users Association at his own cost.
- (c) The Employer/GHS/ Developer/User Association shall provide distribution infrastructure including transformer(s)/substation(s) within the GHS/Complex. The meter/metering equipment, for supply of electricity at a Single Point shall be installed at an easily accessible place in the Colony/GHS/Complex. All the equipment installed shall meet with the safety requirements as per Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010.
- (d) Employer/GHS/ Developer/Appropriate Government/Users Association shall provide meters for measuring electricity consumption of licensee's supply at Single Point compatible with AMR/AMI system of the licensee and for all the residents, common facilities/services and other non-domestic/other loads etc. as per the standard specifications and duly tested/sealed from the licensee's/accredited test lab.

Employer / GHS / Developer/ Users Association shall be responsible for all liabilities & obligations including individual metering, billing, and collection of charges from individual

users and payment of energy bill for Single Point Supply to the Distribution Licensee. The meter reading of the Single Point Supply shall be taken by the distribution licensee in the presence of the security guard and/or a representative, of the Employer/GHS/ Developer/Users Association.

The Employer/GHS/ Developer/Users Association shall ensure, that none of the meters of the residents/users or for the common facilities/services is defective or dead stop. In case of meter getting defective the same shall be replaced immediately and no resident/user or common service connection be billed on average basis for more than one billing cycle. It must be ensured that all the meters getting defective or dead stop are replaced immediately.

General terms and conditions:

- (e) Distribution Licensee shall supply electricity to these consumers at the required voltage level at a Single Point and the same shall be covered under Urban supply Category. The Developer/User Association intending to avail Single Point Supply for their area shall be required to submit the requisite documents for approval of the load and electrification plan of his licensed area. The total ultimate load for Single Point Supply shall be estimated based on the norms/guidelines issued by licensee in this regard from time to time.

- (i) The phase wise development of the Electrical Infrastructure of such area/complex/colony as per requirement shall be permitted by the licensee provided the phase wise development of area is approved by the Authority issuing the Licensee i.e. Town & Country Planning Department, Haryana/HRERA. In case the developer/Users Association requests for supply at a lower voltage than the specified voltage as per approved plan for meeting the partial load/demand, the request may be accepted by the Distribution Licensee subject to deposit of cost of works for supply at the lower voltage and furnishing Bank Guarantee (BG) equivalent to as provided in Regulation 6.1(a) for the cost of specified voltage level transmission line bay and , Sub-Station at his end including the cost of balance incomplete electrical infrastructure to be installed. The amount of Bank Guarantee shall keep on reducing with the completion of remaining works of the transmission line, sub-station and the electrical infra structure in the Complex/ colony:

Provided, in case of phase wise development approved by the appropriate authority the connection for phase wise load shall be released to meet the requirement of such complex on completion of electrical infrastructure of the respective phase as per the approved electrification plan of the developer.

- (ii) The Developer /Users Association shall deposit an amount equivalent to Security (ACD) of total load/Contract Demand of the consumers in such area as per regulation. The first review shall be carried out only after 12 months consumption from April to March is available with licensee. The interest on Security (ACD) shall be payable to the Users Association as per provisions of the Regulations in vogue.

The connections to the individual consumers and the common services and other loads in such area shall be released by the User Association after executing necessary Agreement, with the individual consumers, specifying the terms and conditions of supply in line with the A&A forms of the Licensee and recovery of Security (ACD) and meter Security and such other charges as approved by the Haryana Electricity Regulatory Commission.

- (iii) The Users Association shall develop an efficient coordinated distribution system in its area to supply electricity to the consumers. This includes installation of Meter(s)/metering equipment for supply of electricity at an easily accessible place in accordance with the provisions in the regulations.
- (iv) The power supply shall be made available by the Distribution Licensee to the area as per existing load shedding/power cut instructions as approved by the Commission. However, the Users Association may make its own arrangement for standby back-up power in its area of supply to provide 24X7 days continuous supply and shall ensure that system for standby power shall in no way interfere with the distribution system of the Licensee and shall also ensure there will be no back feeding of supply to Distribution Licensee's system.
- (v) All relevant provisions of Supply Code-2014 and amendments thereof, Duty to Supply Regulations 2016 and amendments thereof, Standards of Performance & other

regulations framed by the Commission including the tariff orders issued by the Commission from time to time shall be applicable to the Users Associations except Section 126, 135 & 138 of the Act wherein Distribution Licensee shall be authorized to take necessary action.

The Users Association shall be responsible for the operation and maintenance of the distribution system within its area of supply to meet with the standards prescribed by the Commission. The Users Association shall render all necessary assistance to Distribution Licensee for any inspection, verification or action to be taken under Section 126, 135 and other provisions of the Electricity Act, 2003.

- (vi) Users Association may install dual supply meters as per standard specifications in case back up supply is provided to the consumers for proper accounting of the electricity supplied from Distribution Licensee and the backup source. The Users Association shall certify that all the meters installed are duly tested and calibrated as per provision in the electricity supply code.
- (vii) The Users Association shall issue regular monthly electricity bills to the individual consumers residing in the colony/complex on the format approved by the Commission. The resident /users shall be charged for their consumption as per tariff approved by the Commission for respective category of consumers.
- (viii) The Users Association shall be responsible for billing, collection of revenue and proper categorization of consumers for correct revenue recovery as per Schedules of Tariff and shall keep updated billing records of all the consumers in the billing data base as per Distribution Licensee's requirements and the same shall be supplied monthly to the concerned distribution office of the area.
- (ix) The temporary connections for DS/NDS category to the individual occupants of such colonies/complexes for their temporary needs during the period of construction etc. may also be provided by the Users Association to such individual occupants residing in these colonies/complexes. The meters for such connections shall be provided and sealed by the Users Association and consumption shall be charged at temporary supply schedule rates of the Distribution Licensee.
- (x) The GHS/RWA/Developer/Users Association shall ensure meter reading / reading through any other mechanism devised for taking readings accurately for preparation of bills of the individual consumers, common services connection in their GHS/Colonies Complex/Estate/SEZ and shall arrange for Distribution of these bills and the collection of payment from the consumers.

6.2 Existing Employer's Colony/GHSs covered under the provisions of Regulation 3.2 and Regulation 4.7 who opts for Single Point Supply.

- (a) The existing Employers Colony/GHS shall submit the application to the Distribution licensee for conversion of electricity supply of the Employers Colony/GHS into Single Point Supply under these Regulations. The Distribution Licensee shall convert the supply to Single Point Supply at 11 kV or higher voltage subject to technical feasibility as per Regulation 3.2 and Regulation 4.7 respectively. The cost for conversion to Single Point Supply shall be borne by the distribution licensee. The employees/members residing in the Colony/GHS will cease to be the consumers of the licensee from the date of conversion which may preferably be coincided with the completion of current billing cycle so as to avoid any accounting problems.
- (b) The energy meters installed at the premises of the members/employees residing in the Colony/GHS will be allowed to remain in place and the Distribution licensee will retain the meter security deposits of the employees/members. The responsibility for replacement of meter/installation of new meter shall be of Employer/GHS after the conversion of their supply to Single Point Supply fold.

The advance consumption deposits (ACDs) of the employees/members/Common Services/NDS connections with the licensee shall be deemed to be the ACD payable by the Employer /GHS for Single Point Supply connection. The members/employees shall forfeit all claims with regard to their individual meter securities/ advance consumption deposits. Similarly, Employer/GHS shall also forfeit all claims with regard to meter security/ advance consumption deposits for common services/NDS loads.

- (c) In case of GHSs/Colonies where the electrical infrastructure including substations/transformers

etc. for supply of electricity within the Employer Colony/GHS has been installed at the cost of Employer/ GHS or the Distribution Licensee, irrespective of fact that whether the ownership is presently with the Employer/GHS, the operation & maintenance of the electrical infrastructure shall be carried out by the Employer/GHS at their cost.

Provided that if the Employer/GHS/ Appropriate Govt. Developer/Users Association, so require, the operation and maintenance may be done by the distribution licensee on payment of the O&M Charges @1.5 % of the cost of internal electrical infrastructure (estimated cost at current rate as per cost data book) per annum provided, the cost of replacement of transformers and switch gears if any shall be borne by the GHS/Developer/Users Association.

6.3 Developers' Commercial complex/Shopping Mall/IT Parks/ Users Association covered under regulation 5.2

The Developers having Single Point Supply connection for their Residential-cum-Commercial/ Commercial Complexes /Shopping Malls / IT Parks etc shall enter into an Agreement with the Distribution licensee of the area of supply through their Users Association and the connection shall be got changed in the name of Users Association once the complex is taken over by the Users Association and shall perform the function of Supply, Metering, Billing and Collection for supply of electricity to the users/ residents, common services, NDS and other category of loads if any in such complexes as per the terms and conditions specified in the Regulations.

6.4 Billing of Single Point Supply

For the purpose of billing of Single Point Supply the energy consumption and combined maximum demand of Employer Colony/GHS/Residential -cum-commercial Complex/Commercial complex will be recorded by Single Point Supply meter. A rebate of 4% in case of supply at 11 kV and 5% in case of supply at higher voltage in the energy consumption will be admissible to cover the expenses that may be incurred by the GHS/ Employer in meeting their obligations such as individual Metering, Billing, Collection of charges from individual Residents/Users etc. Provided in case of Single Point Supply to Commercial Complex, Shopping Mall, a rebate of 1% in their energy consumption will be admissible to cover the above such expenses.

Further, in case of single point supply to Industry/IT parks /SEZ the billing will be on the consumption of electricity recorded by the meter provided at single point supply.

The energy consumption after allowing the rebate as above and the maximum demand recorded by Single Point Supply meter will be billed at the tariff as applicable to Bulk Supply (Domestic) category for GHS/Employers colonies and other relevant category tariff i.e. NDS /bulk supply /Industrial tariff in case of Commercial Complex /Users Associations and the Group of Industries:

In case of Employer Colony/GHS the bulk supply (domestic) tariff shall be charged on the consumption of domestic loads and the common services loads including the load of lifts, water and fire pumps. Provided the common services load is in the ratio of 15:85, with domestic load. In case the common services load is more than the ratio prescribed 17.64% of domestic load the excess load shall be charged at the NDS tariff along with other NDS load if any:

Provided further, that all other terms and conditions as applicable to Bulk Supply (Domestic) category as laid down in the Schedule of Tariff notified and as amended by the Commission from time to time shall be applicable for Single Point Supply unless otherwise provided for in these Regulations.

In case an office complex or other non-domestic loads are also existing within the GHS/Colony, the apportionment of energy (after allowing the rebate) and combined maximum demand for billing under Bulk Supply (Domestic) category and NDS category shall be as detailed in the Annexure-2.

In case of Single Point Supply to categories covered under the definition of appropriate government, Users Association and Group /Cluster of Industries, the tariff as applicable to bulk supply /NDS /Industries shall be chargeable respectively.

6.5 The Distribution Licensee may accept part payment against energy bills for Single Point Supply not less than 80% of the amount due as per the energy bills raised in GHS/Employer's Colonies. The GHS/Employer shall, however, ensure that pending payment is cleared in such manner that outstanding arrears at any time are not more than one month old failing which the connection shall be disconnected by the licensee. However, in case of part payment the late payment surcharge, as applicable, shall be payable on the unpaid amount.

6.6 (a) The Employer/GHS/Users Associations will not charge the Residents/Individual Consumer, Common Services and other category loads in the Colony/GHS/ Complex for electricity supplied, at a

rate higher than the tariff for Domestic Supply (DS)/other relevant category, approved by the Commission from time to time.

(b) In case any Employer /GHS/Users Association charge the individual consumers with in its complex for electricity supplied at rates higher than the Domestic supply tariff/ other relevant category tariff (as per usage of electricity) approved by the Commission, the aggrieved Residents/Members shall have the right to jointly file a complaint against such GHS/Employer/Users Associations before the CGRF/Ombudsman as per these Regulations for Redressal of their grievances.

- 6.7 The Single Point Supply meter will be read and billed on monthly basis after completion of each calendar month for proper application of tariff as the reading prior to completion of month or post completion of the calendar month may affect the bulk supply (Domestic) tariff slab applicable on Single Point Supply to Employer's Colonies / GHS.

The Employer /GHS shall update the occupancy status (nos. of flats/dwellings occupied as on each billing date) in writing to the licensee for proper billing to avoid any wrong application of tariff for Single Point Supply.

- 6.8 In case the DG backup supply has also been made available for the Residents, the Employer/GHS /Developer/Users Associations will be free to charge the residents separately for the same either in the form of annual charges for backup supply or based on individual consumption of such supply by each Resident/user by providing separate/dual register meters for backup supply. It will, however, be mandatory for the Employer/GHS /Developer/Users Associations to install a meter at their cost, to record total energy generation by such backup supply generator, which will be got duly tested and sealed from the Distribution Licensee by payment of requisite charges.

- 6.9 In case an individual member/employee/User do not pay his electricity dues to the GHS/Employer/RWA/User Association or his share in the amount payable by the GHS/Employer/Users Associations on account of energy difference i.e energy supplied at Single Point Supply and the summation of consumption of all individual meters with in the society/complex less the specified losses as per provisions of Regulation 4.1(a) or Regulation 4.1(b), the Employer/GHS/Users Associations shall be within its rights to disconnect the supply of such defaulting member/resident/User in the GHS complex.

The GHS/Employer /Users Associations shall also recover the TDCO/RCO charges on restoring the supply of the resident's consumers after payment as specified by the licensee.

- 6.10 The GHS/Employer/ Users Associations shall monitor consumption pattern of the individual Consumers and where ever suspect meter accuracy or in case the Consumer disputes the accuracy of the meter, shall get the meter checked for accuracy from the licensee's meter test lab or any other accredited meter test lab:

Provided further, that the periodical inspection/testing and calibrations of the meters shall be carried out as per provisions in the Supply Code Regulations of the Commission to ensure accuracy of the meters installed in the Employer's colonies/GHS/Residential/Residential- cum- Commercial / Industrial Estates/IT parks/SEZs.

- 6.11 The Employer/GHS/Users Associations shall inform the licensee if there is any violation by any individual members of the GHS/Employer's Colony/Users Association area of complex.

The Distribution Licensees will extend the facility of testing of individual meters of members/employees for accuracy/tempering or calibration/sealing of new meters in case so requested by the GHS/Employer/Developer/RWA on payment of requisite charges.

7 Existing Employer's Colonies /GHSs having Single Point Supply connections under Bulk Supply (Domestic) category shall continue to have Single Point Supply on the terms and conditions as applicable under these regulations from the date of notification and shall abide by all the terms and conditions as provided, there in:

Provided the Developer having Single Point Supply for their Commercial Complex Shopping Malls etc. shall change over to mode of Single point Supply as provided in these Regulations.

- 8 These Regulations shall not apply to the electricity consumers of Employers' Colonies, Group Housing Societies and Residential or Commercial cum Residential Complexes of Developers who opt for availing electricity supply through smart prepaid meter from the licensee:

Provided such Consumers give a consent to the Distribution Licensee of his area of supply, through a resolution, supported by an affidavit, that all the members / residents of Employers' Colonies, Group Housing Societies and Residential or commercial cum Residential Complexes of Developers shall apply to the Distribution Licensee concerned for installation of smart prepaid meters within one month for their loads

including common services and other loads if any:

Provided further, that if all the Members / residents of any Employers' Colonies, Group Housing Societies fail to apply for switching over to electricity supply through pre-paid meter within three months from the date of notification of these regulations, the Distribution Licensee concerned shall forthwith, without issuing any notice, convert the supply to Single Point Supply as envisaged under these Regulations.

- 9.1** The Entities covered under the Single Point Supply Regulations shall be entitled to install Rooftop Solar PV System, provided the Solar generation shall count toward Solar RPO of the Discoms under HERC Rooftop Solar Grid Interactive Systems Based on Net Metering Regulations as amended from time to time:

Provided further, in case Solar Power Plant is installed by the Industrial Estate/ IT Park/ SEZs (other than Net Metering arrangement in their premises) the Solar generation shall count toward the solar RPO of the Industry / IT Parks/SEZs.

- 9.2** The entities covered under Single Point Supply Regulations shall be entitled to avail open access subject to all the terms and conditions as specified in the regulations and payment of cross subsidy surcharge, additional surcharge and transmission and wheeling charges etc. as the case may be, determined by the Commission from time to time:

Provided the entities availing the facility of installing the rooftop solar plant under net metering regulations shall not be entitled to avail open access under the regulations or in other words the entities availing open access under the regulations shall not be entitled to install the rooftop solar under net metering regulations.

10. Miscellaneous.

Subject to the provisions of the Act, and these Regulations, the Commission may, from time to time, issue orders and directions in regard to the implementation of these Regulations and matters incidental or ancillary thereto.

11. Power to remove difficulties

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or specific order, do or undertake things not being inconsistent with the provisions of the Act which appear to the Commission to be necessary or expedient for the purpose of removing difficulties.

12. Power to amend

The Commission may at any time vary, alter, modify or amend any of the provisions of these Regulations, after following the due process.

13. Repeal and savings

Save as otherwise provided in these Regulations, the Haryana Electricity Regulatory Commission (Single Point Supply) to Employers Colonies, Group Housing Societies and Residential or Commercial cum Residential Complexes of Developers, Regulation, 2013 including its Amendments issued subsequently are hereby repealed.

By Order of the Commission.

(Sd.)...,

Secretary

Haryana Electricity Regulatory Commission

Annexure 1

From GHS/Developer/RWA

To Sub Divisional Officer,
.....Sub-Division
Uttar/Dakshin Haryana Bijli Vitran Nigam Ltd.
.....

Subject: Undertaking as per Regulation 4.1(b) of HERC (Single Point Supply to Employer's Colonies Group Housing Societies, Residential Colonies, Office cum Residential Complexes and Commercial Complexes of Developers, and Industrial Estates/IT Park/SEZ) Regulations, 2020.

Dear Sir,

It is stated that we do not opt for Single Point Supply for our GHS/ Commercial cum Residential Complex and want individual connections to the members/residents as well as for common services/other non domestic loads as per option-2. We, hereby, give our acceptance to the following:

- (a) The Distribution Licensee shall provide and install a single reference meter at the incoming supply point at its own cost to measure consumption of electricity within the GHS.
- (b) The readings of reference meter and all individual meters within the GHS shall be taken on the same day for each billing cycle by the Distribution Licensee in the presence of the security guard and a representative, if any, of the GHS/ Developer/ RWA.
- (c) The total energy consumption of the electricity recorded at the incoming supply point of the GHS as per reference meter (say 'A') shall be compared with the total electricity consumption of all the members/employees residing in the GHS as per their individual meter readings plus the consumption for the common services /other non-domestic loads as per readings of relevant meters (say 'B') for each billing cycle. An energy difference of up to 4%, in case of supply up to 11 kV, and up to 5%, in case of supply at higher voltage, between 'A' and 'B', to be worked out as $\{(A-B) \times 100\}/A$, shall be permissible towards transformation and/or LT losses. In case the difference in energy consumption as above for any billing cycle works out to be more than 4%/5%, it will be presumed to be on account of unwarranted/unauthorized use of electricity within the GHS and the GHS/ Developer/RWA shall be liable to pay for the difference in energy consumption over and above 4%/5% at the rate of energy charges as applicable for the highest slab under Domestic Supply (DS) category.
- (d) The Distribution Licensee shall raise bill for the energy difference over and above 4%/5% for each billing period on the GHS /Developer/RWA and the same shall be payable by the GHS/Developer/RWA. Late payment surcharge, as applicable, shall be leviable if payment is not made within the due date. In case of non-payment of the bills for the energy difference for two consecutive billing cycles, supply to GHS may be disconnected from the single point energy meter (reference meter). The supply will be restored only after clearance of the dues for energy difference along with the surcharge and applicable reconnection charges.

Dated:

(Authorized Signatory)
Seal of GHS/Developer/RWA

Annexure-2**Method of Billing/apportionment of Energy/Maximum Demand recorded by Single Point Supply Meter for billing under Bulk Supply Domestic BS(D) category and Non Domestic (NDS) Category in case of office/commercial complexes situated within the GHS/Colony.**

1. In case of an office or other commercial complexes [other than covered under BS(D) Schedule] located within the GHS/Colony, the total energy consumption after allowing the rebate of 4%/5% as per Regulation 6.4 and the combined maximum demand for the GHS/Colony as recorded by Single Point Supply meter shall be apportioned for billing under BS(D) category and NDS category as per the method given below:

Let us assume:	
i) Total domestic load inclusive of load of Lifts, water supply pumps and fire fighting pumps	: Ld kW
ii) Total load of common facilities for the residents	: Lc kW
iii) Total Load of office/commercial complexes located within the GHS/Colony covered under NDS Schedule of tariff	: Lnds kW
iv) Total of domestic load and common facilities load	= (Ld+Lc)
	= Lbs kW
v) Total Energy Consumption recorded at the Single Point Supply Meter	EC kWh
vi) Total Energy consumption to be billed after allowing rebate of 4%/5%	Ect kWh
vii) Combined maximum demand recorded at Single Point Supply Meter	MDc kW

In case total load of common facilities i.e. Lc is more than 15:85 of Ld, the load upto the ratio allowed shall only be considered as load of common facilities to be covered under BS (D) and the balance load shall be included in the NDS load; Provided, in case of Single Point Supply to a complex where significant load of NDS category is served besides the bulk domestic load, separate metering for the NDS load with in the premises shall be mandatory and the energy consumption along with the maximum demand of such load shall be accounted for while raising the bill for the Single Point Supply by the licensee The modified values for Lc, Lbs and Lnds shall accordingly be worked out as under:

- (i) Load of common facilities to be covered under BS(D) Tariff = $Lc(mod) = 15/85 \text{ of } Ld$
- (ii) Total load to be covered under BS(D) Tariff = $Lbs(mod) = Ld + Lc(mod)$
- (iii) Total load to be billed under NDS Tariff = $Lnds(mod) = Lnds + (Lc - Lc(mod))$

2. Apportionment of total energy consumption, after allowing rebate of 4%/5%, and combined recorded maximum demand for working out energy consumption/maximum demand to be billed under BS(D) category and energy consumption to billed under NDS category shall be done as under:

- (i) Lbs
- (a) Energy Consumption to be billed under $\frac{ECt \times Lbs}{(Lbs + 1.70)}$
Bulk Supply (Domestic) Category when Lnds) Lc is not more than 15/85 of Ld
- (b) Energy Consumption to be billed under $\frac{ECt \times Lbs}{(Lbs(mod) + 1.70)}$
(mod) Bulk Supply (Domestic) Category Lnds (mod)) when Lc is more than 15/85 of Ld

(ii)	(a)	Energy Consumption to be billed under NDS Category when L_c is not more than 15/85 of L_d	$\frac{EC_t \times (1.70 L_{nds})}{(L_{bs} + 1.70 L_{nds})}$
	(b)	Energy Consumption to be billed under: NDS Category when L_c is more than 15/85 of L_d	$\frac{EC_t \times (1.70 L_{nds(mod)})}{(L_{bs(mod)} + 1.70 L_{nds(mod)})}$
iii.	(a)	Maximum demand for Billing under BS(D) when L_c is not more than 15/85 of L_d	$\frac{MD_c \times L_{bs}}{(L_{bs} + L_{nds})}$
	(b)	Maximum demand for Billing under	$MD_c \times L_{bs(mod)}$

BS(D) when L_c is more than 15/85 of L_d $(L_{bs(mod)} + L_{nds(mod)})$

Where 1.70 is the factor to account for higher load factor for non domestic load (17%) as compared to load factor of Domestic Load (10%). Due to Load factor of BS(D) and NDS load being different, it is appropriate that For apportioning total energy consumption in the ratio of BS(D) load and NDS load, the NDS load is notionally increased by a factor, to be worked out as (load factor of NDS) / (load factor of BS(D) load). If load factor for NDS is taken as 17% and for BS(D) as 10%, this factor works out to 1.70.

3. Total electricity charges for BS(D) load and NDS load shall be worked out as under:

a) For BS(D) load

- (i) Energy Charges = Energy consumption as at 2(i) \times energy charges for BS(D)
- (ii) Fixed Charges = Maximum demand as at 2(iii) \times fixed charges per kW for BS(D)
- (iii) Total Electricity Charges = a(i) + a(ii)

b) For NDS load

- (i) Energy Charges = Energy consumption as at 2(ii) \times energy charges for NDS
- (ii) Fixed Charges = Total NDS load i.e. L_{nds} or $L_{nds(mod)}$ \times fixed charges per kW for NDS
- (iii) Total Electricity Charges = b(i) + b(ii)

EXAMPLE 1(Single Point Supply at 11 kV)

Let us assume:

a.	Total Domestic load including load of lifts, water supply pumps and fire fighting pumps	85 kW
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b.	Load of common facilities for residents	14 kW
c.	Total load under BS (D) category (a+b)	99 kW
d.	NDS Load	40 kW
e.	Total energy consumption for the month as per Single Point Supply meter	12000 kWh
f.	Total energy consumption to be billed after allowing 4% rebate in energy consumption as per clause 4.3	11520 kWh
g.	Combined recorded maximum demand for the month	80 kW

- i. Energy consumption to be billed under BS(D) = $\frac{11520 \times 99}{(99 + 1.7 \times 40)}$
= 6829 kWh
- ii. Energy consumption to be billed under NDS = 11520 – 6829
= 4691 kWh
- iii. Maximum demand for billing under BS(D) = $\frac{80 \times 99}{99 + 40}$
= 56.97 \approx 57 kW
- iv. Total Electricity charges for BS (D) load = $6829 \times 3.90 + 57 \times 50$
= Rs. 29483
- v. Total Electricity charges for NDS load = $4691 \times 5.50 + 40 \times 130$
= Rs. 31000
- vi. Total Energy bill for the GHS/Colony = 29483 + 31000
= Rs. 60483

EXAMPLE 2 (Single Point Supply at 11 kV)

Let us assume:

a.	Total Domestic load including load of lifts, water supply pumps and fire fighting pumps i.e. Ld	170 kW
b.	Load of common facilities for residents i.e. Lc	50 kW
c.	NDS Load i.e. Lnds	70 kW
d.	Total energy consumption for the month as per Single Point meter	23000 kWh
e.	Total energy consumption to be billed after allowing 4% rebate as per clause 4.3	22080 kWh
f.	Combined maximum demand	175 kW

As the load of common facilities for the residents is more than 15/85 of domestic load of 170 kW, the load of common facilities i.e. Lc shall be taken as 15/85 of 170 i.e. 30 kW and the balance load of 20 kW (50 – 30) of common facilities shall be included in the NDS load.

Therefore, in this case domestic load, load of common facilities and NDS load for the purpose of billing shall be modified as under:

$$\begin{aligned}
 L_d &= 170 \text{ kW} \\
 L_c(\text{mod}) &= 30 \text{ kW} \\
 L_{bs}(\text{mod}) &= (170+30)=200 \text{ kW} \\
 L_{nds}(\text{mod}) &= 70 +(50-30) = 90 \text{ kW}
 \end{aligned}$$

- | | | |
|------|---|--|
| i. | Energy consumption to be billed under BS(D) | = $\frac{22080 \times 200}{(200 + 1.7 \times 90)}$ |
| | | = 12510 kWh |
| ii. | Energy consumption to be billed under NDS | = 22080 – 12510 |
| | | = 9570 kWh |
| iii. | Maximum demand for billing under BS(D) | = $\frac{175 \times 200}{(200 + 90)}$ |
| | | = 120.7 \approx 121 kW |
| iv. | Total Electricity charges for BS (D) load | = 12510 \times 3.90 + 121 \times 50 |
| | | = Rs. 54839 |
| v. | Total Electricity charges for NDS load | = 9570 \times 5.25 + 90 \times 130 |
| | | = Rs. 61942 |
| vi. | Total Energy bill for the GHS/Colony | = 54839+61942 |
| | | = Rs. 116781 |

BY ORDER OF THE COMMISSION

[81–1]

(Sd.)...,
Secretary, HERC.